

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ANTHONY C. HILL,
Plaintiff,

v.

WORKDAY, INC., et al.,
Defendants.

Case No. [23-cv-06558-PHK](#)

FURTHER ORDER TO SHOW CAUSE

Re: Dkt. 161

Previously in this case, Attorneys Katherine Cervantes and Lenden Webb (as counsel for Plaintiff Anthony Hill) filed a brief which included a fake citation to nonexistent law. On July 30, 2025, the Court issued an Order to Show Cause (OSC) regarding this brief. [Dkt. 129 (“July 30 Order to Show Cause”)]. The same day the July 30 Order to Show Cause was issued, Attorney Cervantes filed a declaration responding to that OSC. [Dkt. 131]. Attorney Webb did not file a separate response or declaration in response to the July 30 Order to Show Cause. The Court held a hearing on the July 30 Order to Show Cause on August 12, 2025, at which Attorney Cervantes appeared, but Attorney Webb did not appear. [Dkt. 148].

On September 5, 2025, the Court issued an Order admonishing and sanctioning Attorney Cervantes, and further ordering Attorney Webb to file a declaration within fourteen days of that September 5 Order addressing all the issues raised in the original OSC and further addressing issues raised in the current Order. [Dkt. 161]. The September 5 Order warned that failure to comply may result in further sanctions. *Id.*

The September 19 deadline established by the September 5 Order has passed by over one month, and Attorney Webb has failed to file any response to that Order (and has failed to request an extension of time to respond). That is, in addition to failing to file a response to the July 30 Order

to Show Cause and failing to attend the OSC hearing, Attorney Webb has failed to obey the September 5 Order. “A district court may sanction under [28 U.S.C.] section 1927 and under its inherent power only upon a finding of bad faith. Willfully disobeying a court's order is sufficient to warrant such sanctions.” *MAI Sys. Corp. v. Walbert Enterps., Inc.*, 116 F.3d 485, 1997 WL 312595 at *4 (9th Cir. June 9, 1997) (mem.). “‘If counsel or a party acts willfully, in bad faith, or is at fault in failing to comply with court orders, the Ninth Circuit has encouraged the exercise of the court's discretion to impose sanctions.’ Furthermore, ‘[d]isobedient conduct not shown to be outside the control of the litigant is all that is required to demonstrate willfulness, bad faith, or fault.’” *Apple Inc. v. Samsung Elecs. Co.*, 2012 WL 1595784 at *3 (N.D. Cal. May 4, 2012) (citations and footnotes omitted).

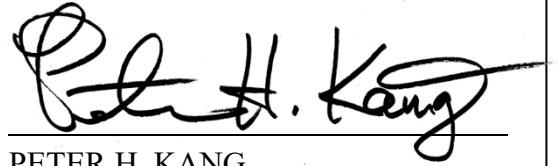
Accordingly, in the full exercise of its discretion and inherent authority, the Court **ORDERS** Attorney Webb **TO SHOW CAUSE** why he personally should not be sanctioned for failure to obey Court Orders and for all the reasons discussed in the July 30 Order to Show Cause regarding the filing of a brief under his name which contained fake citation to nonexistent case law. The Court **ORDERS** Attorney Webb to file a written response to this Further OSC by **November 7, 2025**. Any such written response **SHALL** address all the issues discussed in the July 30 Order to Show Cause, the September 5 Order, and this Further OSC.

Failure to file a response to this Further OSC will result in imposition of sanctions. Continued failure to obey the previous September 5 Order [Dkt. 161] may result in sanctions. With regard to the failure to obey the September 5 Order [Dkt. 161] and this Further OSC, the Court may consider the full range of appropriate sanctions, including but not limited to monetary sanctions, ordering Attorney Webb to undertake continuing legal education, requiring Attorney Webb to self-report to the Northern District's Committee on Professional Conduct and the California State Bar (and any other court or bar of which he is a member), or any other sanctions the Court deems appropriate in the circumstances.

The Clerk of Court is **DIRECTED** to mail a copy of this Order and the September 5 Order [Dkt. 161] to Attorney Webb at his last address of record, as well as send a copy of this Order and the September 5 Order [Dkt. 161] to Attorney Webb's email of record.

IT IS SO ORDERED.

Dated: October 22, 2025

A handwritten signature in black ink, appearing to read "Peter H. Kang", written over a horizontal line.

PETER H. KANG
United States Magistrate Judge

United States District Court
Northern District of California